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STATE OF SOUTH CAROLINA

(Caption of Case)

Susan Frazier,
Complainant/Petitioner,

v.

Utilities Services of South Carolina, Inc.,
Defendant/Respondent.

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

COPY
Posted: tool

Dept: S.A.

Date: 8/12/10

Time: 10:30

DOCKET
NUMBER: 2010 - 163 - W

(Please type or print)

Submitted by: John M. S. Hoefer, Esquire

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other: _____

| INDUSTRY (Check one) | NATURE OF ACTION (Check all that apply) | | |
|--|--|--|--|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Affidavit | <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Electric/Gas | <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water | <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Electric/Water/Telecom. | <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Electric/Water/Sewer | <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Telecommunications | <input checked="" type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input checked="" type="checkbox"/> Water | <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Water/Sewer | <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Administrative Matter | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| | <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

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PSC SC
CLERK'S OFFICE

WILLOUGHBY & HOEFER, P.A.

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August 10, 2010

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PSC SC
CLERK'S OFFICE

VIA HAND DELIVERY

F. David Butler, Esquire
Hearing Examiner
Public Service Commission of South Carolina
Post Office Box 11649
Columbia, South Carolina 29211

RE: Susan Frazier, Complainant/Petitioner, v. Utilities Services of South Carolina,
Inc., Defendant/Respondent. Docket No.: 2010-163-W

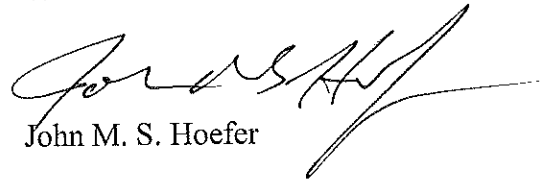
Dear Mr. Butler:

Enclosed please find the Proposed Consent Order of Withdrawal with Prejudice in the above-referenced matter which has been executed by all parties and is submitted to you in accordance with our e-mail communications last week. It is my understanding that you will recommend this document to the Commission as a resolution of this matter.

If you have any questions or if you need any additional information, please do not hesitate to contact me.

Sincerely,

WILLOUGHBY & HOEFER, P.A.


John M. S. Hoefer

JMSH/cf
Enclosures

cc: Susan Frazier
Jeffrey M. Nelson, Esquire

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2010-163-WS

IN RE:

| | | |
|--|---|------------------------------------|
| Susan Frazier, Complainant/Petitioner v. |) | CONSENT ORDER OF WITHDRAWAL |
| Utilities Services of South Carolina, |) | WITH PREJUDICE |
| Defendant/Respondent |) | |

This matter is before the Commission pursuant to the May 3, 2010, complaint of Susan Frazier ("Frazier") against Utilities Services of South Carolina, Inc. ("USSC"). The Office of Regulatory Staff is a party pursuant to S.C. Code Ann. §58-4-10(B) (Supp. 2009). By Notice issued May 11, 2010, F. David Butler, Esquire, was appointed Hearing Examiner to preside over this matter. See R.103-804.F of the Commission's rules of practice and procedure.

Mr. Butler has advised the Commission that on July 30, 2010, Ms. Frazier informed him via electronic mail that she was satisfied with USSC's response to her complaint and its commitment to continue monitoring her account to ensure proper billing, that she no longer wished to pursue her complaint, and that she no longer desired to go forward with the hearing scheduled for August 2, 2010.

Mr. Butler also advises the Commission that, by electronic mail on July 30, 2010, counsel for USSC and ORS advised him that their clients consent to a withdrawal of the complaint by Ms. Frazier with prejudice. Thereafter, Mr. Butler issued his directive in this matter on July 30, 2010, suspending the hearing. The request for withdrawal of the complaint by Ms. Frazier is

now before us pursuant to S. C. Code Ann. §58-3-255(E) (Supp. 2009) with Mr. Butler's recommendation that it be granted.

In light of the foregoing, and with the consent of USSC and ORS, Ms. Frazier's request to withdraw her complaint with prejudice is therefore granted.

AND IT IS SO ORDERED.

John E. Howard
Chairman

Columbia, South Carolina
This ____ day of ____, 2010

ATTEST:

David A. Wright
Vice Chairman

I SO MOVE:

Susan C. Frazier
Susan C. Frazier

WE CONSENT:

John M. S. Hoefer
Attorney for Utilities Services of South
Carolina, Inc.

Jeffrey Nelson
Attorney for Office of Regulatory Staff